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**HM Chief Inspector of Prisons
PETER CLARKE CVO OBE QPM**

Date : 11 April 2019

Mark Leech FRSA
Editor: The Prisons Handbook
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Ref: B010/2019

By e-mail to: request-560956-5aac8611@whatdotheyknow.com

Dear Mr Leech

Thank you for your e-mail of 15 March where you referred to a previous Freedom of Information (FOI) request (ref: B12-2018) about partially achieved recommendations, and asked for evidence to support assessments in the latest HMP Lancaster Farms inspection report. You asked for:

(1) copies of correspondence, documents, advice to inspectors etc from the current Chief Inspector relating in any way or at all to this change of policy - from that where evidence was provided for partially achieved assessments, to the current one where no evidence at all is given.

Your e-mail quotes the example of the Lancaster Farms report from 2011 as having given evidence to support assessments. The 2011 report was a full follow-up report and therefore, as with short follow-up reports, looked specifically at previous recommendations. However both of these style of reports were abandoned when we moved to mainly unannounced inspections from 1 April 2013. You will note that this was before the current Chief Inspector took up post. In addition there was a report on Lancaster Farms in the new format in 2015 (also before Peter Clarke took up post).

2. copies of the notes taken by the inspector(s) in respect of each of the previous recommendations subsequently assessed as being 'partially achieved' at HMP Lancaster Farms during the inspection that took place 29 October, 5-8 November 2018.

Under the Freedom of Information Act (FOIA) we are not obliged to provide information such as inspectors' notes if it would prejudice the maintenance of security and good order in prisons (S31(1)(f)). This section is a qualified exemption which means that the decision to disclose the requested material is subject to a public interest test.

When assessing whether it is in the public interest to disclose the information to you, we took account of the fact that disclosure would promote public understanding of the sort of information inspectors take into account when making their assessments, which would provide reassurance that inspectors are looking robustly at the entire regime.

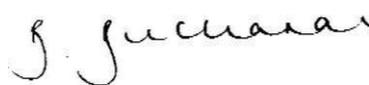
However, the argument against disclosure is that the information comes from prisoners and staff, who may not feel able to speak freely if they thought such information could be disclosed. This is information gathered under our regulatory function and could undermine the security of the establishment being inspected if disclosed. Placing such information in the public domain could, additionally, have an impact on the operational security of other establishments as well and could risk HMPPS operational practices.

We consider the public interest favours withholding the information you request at this time. In any case inspectors' findings are summarised in the published report of the inspection which ensures that the public interest is met without providing the notes.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to: Mrs Lesley Young, HM Inspectorate of Prisons, 3rd floor, 10 South Colonnade, Canary Wharf, London E14 4PU. Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely,



BARBARA BUCHANAN